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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

U.S. ATTORNEY'S OFFICE
BOSTON, MASS.

UNITED STATES OF AMERICA)
)
)
 v.) CRIMINAL NO. 03-30008-MAP
)
)
 JOSE MERCED, et al.)
)
 Defendants.)

GOVERNMENT'S STATUS REPORT AND MOTION
TO MODIFY DISCOVERY AND MOTION IN LIMINE DEADLINE
SET FORTH IN THE COURT'S JUNE 24th ORDER

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby submits the following status report regarding change of pleas by certain defendants. In addition, the government requests an additional three days, from August 5, 2005, until August 10, 2005, to provide Jencks Act material.

1. The following defendants, through counsel, have informed the government that they will enter guilty pleas: Jose Diaz, William Torres and Manuel Colon.

2. The remaining defendants, through counsel, have asked the government to consider a global plea. Within the past 10 days, undersigned counsel have worked diligently toward preparing a response to this request. The government anticipates that it

will be in a position to inform counsel whether a global plea is feasible by Friday, August 12, 2005. The government will notify the Court with respect to any progress in these negotiations by August 19, 2005.

3. Based on the good faith by all parties to resolve this case, the government has agreed to extend its deadline for receiving a three point reduction for acceptance of responsibility until August 19th.

4. In addition, the government requests an additional three days, from August 5th until August 10th, to provide Jencks Act materials to those defendants who, at this time, are scheduled for trial. The government also requests additional time to select the transcripts that it intends to introduce at trial. The selection of transcripts is a time consuming task that has been hampered by efforts to resolve this case by way of a global plea. The government anticipates that it will complete its review of the transcripts by August 19th.

Wherefore, the government requests that change-of-plea hearings be scheduled for Jose Diaz, William Torres and Manuel Colon. In addition, the government requests that the Court extend the deadline for the government to provide Jencks Act material until August 10, 2005, and the deadline to select the transcripts that the government will introduce at trial until August 19, 2005.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:


Ariane D. Vuono
Thomas J. O'Connor, Jr.
Assistant U.S. Attorneys

CERTIFICATE OF SERVICE

Springfield, Massachusetts
August 8, 2005

I, Ariane D. Vuono, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing on the defendants by providing a copy, via facsimile, to counsel of record.


Ariane D. Vuono
Assistant U.S. Attorney